

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

FILED

FEB 06 2014

Clerk, U.S. District Court
District Of Montana
Helena

EARLINE COLE, as an individual and
as personal representative of the
ESTATE OF STEVEN BEARCANE,
et al.,

Plaintiffs,

vs.

MATTHEW ORAVEC, in his
individual capacity,

Defendant.

CV 09-21-BLG-SEH

ORDER

On January 23, 2014, United States Magistrate Judge Carolyn S. Ostby entered her Findings and Recommendations¹ on Defendant's Motion for Judgment on the Pleadings and for Partial Summary Judgment.² Defendant filed objections on February 4, 2014.³ The Court reviews *de novo* findings and recommendations to which objections are made. 28 U.S.C. § 636(b)(1).

¹ Doc. 119.

² Doc. 96.

³ Doc. 121.

Upon *de novo* review of the record, I find no error in Judge Ostby's Findings and Recommendations and adopt them in full.

ORDERED:

1. Defendant's Motion for Judgment on the Pleadings and for Partial Summary Judgment (Doc. 119) is GRANTED, in part, and DENIED, as set forth in Judge Ostby's Findings and Recommendations, as follows:

A. Defendant's Motion for Judgment on the Pleadings respecting the Springfield claims is GRANTED.

B. Defendants Motion for Partial Summary Judgment respecting the Bearcrane claims is DENIED.

DATED this 6th day of February, 2014.



SAM E. HADDON
United States District Judge